

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE:

MANNING MUNICIPAL
COMMUNICATIONS & TELEVISION
SYSTEM UTILITY

DOCKET NO. 199 IAC 39.2(4)

ORDER DESIGNATING ELIGIBLE CARRIER

(Issued February 16, 2001)

On January 29, 2001, Manning Municipal Communications & Television System Utility (Manning) filed a request for universal service eligible carrier status in Iowa. Manning asks that the Utilities Board (Board) designate Manning as an eligible telecommunications carrier pursuant to 199 IAC 39.2(4).

Board rule 39.2 provides a means by which the Board can designate Iowa telecommunications companies to be eligible to receive funding from the universal service fund, as defined by the Telecommunications Act of 1996, 47 U.S.C. § 254. Under the Act (and Federal Communications Commission regulations implementing the Act), the Board must determine that a carrier meets certain service requirements before it may be designated an eligible carrier, as set forth in subrule 39.2(4). The Board must determine that the requesting carrier meets each of the following requirements:

- 1) Offer the services supported by the federal universal service fund;
- 2) Offer the service using its own facilities or a combination of its own facilities and resale (47 C.F.R. § 54.201(c) provides that "own facilities" includes purchased unbundled network elements);
- 3) Advertise the availability of the supported services; and

- 4) Offer the services throughout the designated service area.

In its request for designation, Manning states that it satisfies each of these requirements. Based on that representation, the Board finds that Manning offers the services supported by the federal universal service fund, using its own facilities or a combination of its own facilities and resale. The Board also finds that Manning advertises and offers the services throughout its designated service area.

IT IS THEREFORE ORDERED:

1. Eligible telecommunications carrier status is granted to Manning Municipal Communications & Television System Utility, as requested on January 29, 2001. The designated service area for Manning shall be Manning's service territory as established in its certificate of public convenience and necessity.

2. The Acting Executive Secretary of the Board shall mail copies of this order to Manning, the Universal Service Administration Company, the FCC Universal Service Branch, and the FCC Office of the Secretary.

UTILITIES BOARD

/s/ Allan T. Thoms

/s/ Susan J. Frye

ATTEST:

/s/ Judi K. Cooper

Acting Executive Secretary

/s/ Diane Munns

Dated at Des Moines, Iowa, this 16th day of February, 2001.